

SCF

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-11-268

- - - - -X

UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)
and 960)

KIRILL PROKOPISHEN,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

EDWARD GONZALEZ, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

Upon information and belief, on or about March 11, 2011, within the Eastern District of New York and elsewhere, defendant KIRILL PROKOPISHEN did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:¹

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I

1. On or about March 11, 2011, KIRILL PROKOPISHEN arrived at John F. Kennedy International Airport ("J.F.K. Airport") in Queens, New York, aboard AeroGal Airlines flight 700 from Guayaquil, Ecuador.

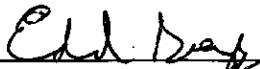
2. Defendant PROKOPISHEN was selected for a Customs and Border Protection ("CBP") examination. The defendant presented for inspection two pieces of luggage - a black "Reebok" brand backpack, which he was wearing, and a blue "Puma" brand duffle bag. In response to questioning, the defendant stated to CBP officers that he was returning from Ecuador where he had been visiting his girlfriend. The defendant also stated that both pieces of luggage in his possession were his and that their contents belonged to him.

3. During the subsequent inspection of defendant PROKOPISHEN's black backpack, the CBP officers noticed that the sides and bottom of the backpack were unusually thick and that the bag's stitching appeared to be altered. The backpack also gave off a vinegar like smell. CBP officers then probed the defendant's black backpack, and that probe revealed a brown powdery substance that field-tested positive for the presence of heroin.

4. The total gross weight of the heroin found in defendant PROKOPISHEN's backpack is approximately 5,690 grams.

am aware.

WHEREFORE, your deponent respectfully requests that
defendant KIRILL PROKOPISHEN be dealt with according to law.



EDWARD GONZALEZ
Special Agent
U.S. Department of Homeland Security

Sworn to before me this
12th day of March, 2011

THE HC
UNITED
EASTERN

S/ Reyes

RES, JR.
JUDGE
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